

REMARKS

Claims 1, 22 and 35 are cancelled Claims 41 to 44 are new. Claims 2 to 12, 15 to 21, 23 to 29, 31, 33, 34, and 36 to 40 are amended. Claims 2 to 21, 23 to 34, and 36 to 44 are presently pending.

Replacement paragraphs 32, 38 and 41 are provided.

No new matter is added by the present amendment.

Specifications

The Applicant herein submits replacement paragraphs for paragraphs 0032, 0038 and 0042 to correct clerical errors.

Rejections of claims 1, 2-8, 12, 13, 22 and 40 under 35 U.S.C. § 102(b) in view of Banyai (U.S. 2001/0034262 A1)

Banyai teaches a game more or less similar to bingo. The game is played either on stand-alone or networked gaming machines. In a networked embodiment defined in paragraph 0015, a progressive pool is used to determine the values of certain prizes, commonly known as progressive jackpots.

In paragraphs 0005 to 0011, the reference also teaches the method of playing the game on a stand-alone machine. The game process is characterized by the draw of numbers and their comparison to the designations appearing on the player's game card. If all of the designations of the player's game card match the drawn numbers, the player wins a prize. Else, additional numbers are drawn, thereby modifying the current draw result compared to the game card designations. The comparison process and additional draw process are repeated until the player wins a prize or until a maximum quantity of numbers are drawn.

In paragraphs 0016 to 0025, Banyai teaches a multi-player version. This game comprises the steps of assigning a game card bearing a set of designations to each player; performing a first draw of numbers; and comparing this draw result to players' game card designations. If the designations of one or more players' game card match the drawn numbers, in other words an ending state, this or these players are awarded a prize. Else, the draw result is modified with the addition of new drawn numbers. The steps are repeated until at least one player's game card comprises designations matching the drawn numbers. A prize is paid to each player whose assigned card designations match drawn numbers according to numbers draws in steps (c), (c) - (e), or (c) – (e) – (g).

In paragraph 0035, the opposite is also taught; that is, it is stated “with respect to any of the player's cards containing four assigned numbers that have been matched by the first four numbers drawn, the game is over at this point. With respect to any card in which four matches have not occurred, the game continues.”

In comparison, claim 41 recites a method of providing a participation game among a plurality of players. The method comprises that “if said game ending state is not achieved, maintaining the current draw result in its current form and associating said current draw result with a further play request”. This limitation is absent from the reference. In Banyai's networked game, if the game ending state is not achieved (no player's assigned card has its designations matching the drawn numbers), new numbers are drawn and thus the draw result is modified. Accordingly in reference to paragraphs 0016 to 0025 of Banyai, following successive evaluations where the game ending state has not been achieved during the game, the draw result takes one of three specific forms: 1- the draw result, according to step (c), comprises a first quantity of numbers; 2- the draw result, according to steps (c) - (e), comprises a second quantity of numbers which is greater than the first quantity of numbers; and 3- the draw result, according to steps (c) -

(e) - (g), comprises a third quantity of numbers, which is greater than any of the first and second quantities of numbers.

Accordingly, it is the Applicant's opinion that Banyai does not teach the "maintaining the current draw result" limitation defined in claim 41 and that Banyai does not anticipate claim 41.

Claim 44 describes a system comprising "end-of-game evaluation means for evaluating fulfillment of an end-of-game criterion of said play request based on comparison of said game card to said current draw result **before evaluating another play request**, and, upon fulfillment of said end-of-game criterion, ending said game in addition of determining said player to be the winning player of said participation game". This claim limitation implies that "the system processes play requests independently from each other". Banyai teaches otherwise. The reference is understood by a person skilled in the art to provide embodiments of systems wherein either 1) game cards are evaluated individually for prizes and there is not **a winning player** established but rather a variable number of prize winning players, or 2) game cards are evaluated together after each modification of the draw result.

Claim 44 also describes a system comprising "draw generation means for generating a current draw result, said current draw result unchanging over said participation game until determination of a winning player". Banyai teaches otherwise. The reference teaches, in an embodiment, a game wherein the current draw result is changing constantly until the determination of a winning player. In the other embodiment, no winning player is established but only a variable number of prize winning players.

Accordingly, it is the Applicant's opinion that Banyai does not teach or suggest the "end-of-game evaluating means for evaluating fulfillment of an end-of-game criterion of said play request based on comparison of said game card to said current draw result **before evaluating another play request**, and, upon fulfillment of said end-of-game criterion, ending said game in

addition of determining said player to be the winning player of said participation game” limitation defined in claim 44 and that Banyai does not anticipate claim 44. Furthermore, it is also the Applicant’s opinion that Banyai does not teach or suggest the “draw generating means for generating a current draw result, said current draw result unchanging over said participation game until determination of a winning player” limitation defined in claim 44 and for this reason also Banyai does not anticipate claim 44.

The Applicant submits that all other claims rejected herein, but not discussed, are dependent upon claims deemed allowable by the Applicant and thus should also be found allowable.

Rejections of claims 8-27, 28-33, and 34-39 under 35 U.S.C. § 103 as being unpatentable over Banyai (U.S. 2001/0034262 A1) in view of Itkis at al. (US Patent Publication 2002/0094860)

The Applicant submits that, since claims 8-27, 28-33, and 34-39 are dependent on otherwise allowable claims in view of the arguments provided herein, their rejections are deemed

The Applicant submits that all other claims rejected herein, but not discussed, are dependent upon claims deemed allowable by the Applicant and thus should also be found allowable.

It is therefore submitted that the whole set of claims herein provided is in condition for allowance. Reconsideration of the Office Action’s rejections is respectfully requested. Allowance of claims 2 to 21, 23 to 34, and 36 to 44 at an early date is solicited.

In the event that there are any questions concerning this Response to an Office Action or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully submitted,

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